

**STATE PLAN FOR  
CHILD CARE & DEVELOPMENT FUND SERVICES  
FOR THE PERIOD 10/1/01 – 9/30/03**

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**CHILD CARE AND DEVELOPMENT FUND PLAN  
FOR  
FFY 2002-2003**

This Plan describes the CCDF program to be conducted by the State for the period 10/1/01 – 9/30/03. As provided for in the applicable statutes and regulations, the Lead Agency has the flexibility to modify this program at any time, including changing the options selected or described herein.

The official text of the applicable laws and regulations govern, and the Lead Agency acknowledges its responsibility to adhere to them regardless of the fact that, for purposes of simplicity and clarity, the specific provisions printed herein are sometimes paraphrases of, or excerpts and incomplete quotations from, the full text.

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Public reporting burden for this collection of information is estimated to average 162.57 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

**(Form ACF 118 Approved OMB Number: 0970-0114 expires 02-29-2004)**

Effective Date: October 1, 2001

Amended Effective: \_\_\_\_\_

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**AMENDMENTS LOG**

Child Care and Development Services Plan for  
For the period: 10/1/01 -- 9/30/03

SECTION AMENDED	EFFECTIVE/ PROPOSED EFFECTIVE DATE	DATE SUBMITTED TO ACF	DATE APPROVED BY ACF

**Instructions:**

- 1) Lead Agency completes the first 3 columns and sends a photocopy of this Log (showing the latest amendment sent to ACF) and the amended section(s) to the ACF Regional contact. A copy of the Log, showing the latest amendment pending in ACF, is retained in the Lead Agency's Plan.
- 2) ACF completes column 4 and returns a photocopy of the Log to the grantee.
- 3) The Lead Agency replaces this page in the Plan with the copy of the Log received from ACF showing the approval date.

Note: This process depends on repeated subsequent use of the same Log page over the life of the Plan. At any time the Log should reflect all amendments, both approved and pending in ACF. The Lead Agency is advised to retain those "old" plan pages that are superseded by amendments in a separate appendix to its Plan.

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**PART 1 -- ADMINISTRATION**

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The agency shown below has been designated by the Chief Executive Officer of the State (or Territory), to represent the State (or Territory) as the Lead Agency. The Lead Agency agrees to administer the program in accordance with applicable Federal laws and regulations and the provisions of this Plan, including the assurances and certifications appended hereto. (658D, 658E)

**1.1 Lead Agency Information:** (as designated by State chief executive officer)

Name of Lead Agency: Department of Workforce Services

Address of Lead Agency: 140 East 300 South, Salt Lake City, Utah 84111

Name and Title of the  
Lead Agency's Chief Executive Officer: Robert C. Gross, Executive Director

Phone & Fax Numbers: (801) 526-9209 FAX (801) 526-9675

**1.2 State Child Care (CCDF) Contact Information:** (day-to-day contact)

Name and Title of the  
State Child Care Contact (CCDF): Lynette Rasmussen, Director, Utah Office of Child Care.

Address of Contact: 140 East 300 South, Salt Lake City, Utah 84111

Phone & Fax Numbers: (801) 526-4341 FAX (801) 526-4349

E-Mail Address: [wsadmsds.Lrasmus@state.ut.us](mailto:wsadmsds.Lrasmus@state.ut.us)

**1.3** The Lead Agency estimates that the following amounts will be available for child care services and related activities during the 1-year period: October 1, 2001 through September 30, 2002. (§98.13(a))

- Federal Child Care & Development Fund: \$48,701,000
- Federal TANF Transfer to CCDF (if known): unknown
- Direct Federal TANF Spending on Child Care (if known): unknown
- State Maintenance of Effort Funds: \$4,474,923
- State Matching Funds: \$3,367,277

**1.4** The Lead Agency estimates that the following amount (and percentage) of the CCDF will be used to administer the program (not to exceed 5 percent): \$ 1,704,000 ( 3.5%). (658E(c)(3), §§98.13(a), 98.52)

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**1.5** Does the Lead Agency directly administer and implement all services, programs and activities funded under the CCDF Act, including those described in Part 5 – Activities & Services to Improve the Quality and Availability of Child Care?

- ( ) Yes. – GO to Section 1.8.  
(x) No, and the following describes how the Lead Agency maintains overall control when services or activities are provided through other agencies. (658D(b)(1)(A), §98.11)

The Department of Workforce Services/Office of Child Care contracts with other state and non-profit agencies for the delivery of services. Those agencies will be listed in sections requesting a description of specific activities.

As required in the Block Grant, the Department of Workforce Services/Office of Child Care (lead agency) requires each contractor to submit a quarterly progress report. Quarterly reports are based upon identified and measured outcomes and outputs.

**1.6** For **child care services** funded under §98.50 (i.e., certificates, vouchers, grants/contracts for slots **based on individual eligibility**), does the Lead Agency itself: (§98.11)

- Determine individual eligibility of non-TANF families? YES x NO \_\_\_\_  
If NO, identify the name and type of agency that determines eligibility of non-TANF families for child care:
- Determine individual eligibility of TANF families? YES x NO \_\_\_\_  
If NO, identify the name and type of agency that determines eligibility of TANF families for child care:
- Assist parents in locating child care? YES \_\_\_\_ NO x  
If NO, identify the name and type of agency that assists parents:

Parents are referred to the local Child Care Resource and Referral (CCR&R) for assistance in locating child care in their community.

- Make payments to providers? YES \_\_\_\_ NO x  
If NO, identify the name and type of agency that makes payments:

Department of Workforce Services pays parents.

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**1.7** Is any entity named in response to section 1.6 a non-governmental entity?  
(658D(b), §§98.10(a), 98.11(a))

☐ No.

☒ Yes, the following entities named in section 1.6 are non-governmental:

The local CCR&R agencies receive CCDF funds via contract to administer child care referral services. Four of the contracts are held by either a local college or university (Weber State, College of Eastern Utah, Utah State University and Utah Valley State College). One contract is based at an association of governments (Five County AOG) and the other is held by a private, non-profit (Children's Service Society of Utah).

**Section 1.8 - Use of Private Donated Funds**

1.8.1 Will the Lead Agency use private donated funds to meet a part of the matching requirement of the CCDF pursuant to §98.53(e)(2) and (f)?

☒ No. GO TO 1.9

☐ Yes, and the entity designated to receive private donated funds is:

Name of entity:

Address:

Contact:

1.8.2 Is the entity designated to receive private donated funds (named above) a non-governmental agency? (§98.11(a))

☐ Yes.

☐ No.

**Section 1.9 - Use of State Pre-Kindergarten (Pre-K) Expenditures**

1.9.1 During this plan period, will State expenditures for Pre-K programs be used to meet any of the CCDF maintenance of effort (MOE) requirement?

☒ No.

☐ Yes, and the State assures that its level of effort in full day/full year child care services has not been reduced, pursuant to §98.53(h)(1).

1.9.2 During this plan period, will State expenditures for Pre-K programs be used to meet any of the CCDF Matching Fund requirement? (§98.53(h))

☒ No.

☐ Yes, and the following describes State efforts to ensure that pre-K programs meet the needs of working parents (§98.53(h)(2)):

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1.9.3 Will the State use Pre-K expenditures to meet more than 10% of the:

- Maintenance of effort requirement, OR
- Matching fund requirement?

If No to both, CHECK HERE x.

If Yes to either, the following describes how the State will coordinate its Pre-K and child care services to expand the availability of child care (§98.53(h)(4)).

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**PART 2 -- DEVELOPING THE CHILD CARE PROGRAM**

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**Section 2.1 – Consultation and Results of Coordination:**

Describe the consultations the Lead Agency held in developing this Plan. At a minimum, the description must include the following: 1) the representatives of local governments (including tribal organizations when such organizations exist within the boundaries of the State) that were consulted (658D(b)(2), §§98.12(b), 98.14(b)); and, 2) the results of coordination with other Federal, State, local, and tribal (if applicable) agencies and programs including those involved with public health, employment, public education, and TANF. (658D(b)(1)(D), §§98.12(a), 98.14(a)(1) & (2))

Utah's plan was developed by a broad based community group representing various government agencies, child care advocacy representatives, child development representatives, child care providers, and community members. They include the following:

- Community Action Program
- Department of Education
- Department of Health, Bureau of Facility Licensing-Child Care Unit
- Department of Health, Division of Community and Family Health Services
- Department of Human Services, Division of Services for People with Disabilities
- Department of Workforce Services, Office of Child Care
- Department of Workforce Services, Service Delivery Support
- Professional Family Child Care Association
- Office of Child Care Advisory Committee
- University of Utah Family and Consumer Studies
- Utah Association for the Education of Young Children
- Utah Association of Child Care Resource and Referral Agencies
- Utah Child Care Coalition
- Utah Children
- Utah Head Start Association
- Utah Private Child Care Association
- Utah School Age Care Alliance
- Utah State University Child Development

The Lead Agency, Department of Workforce Services, is responsible to administer self sufficiency initiatives and workforce development in Utah. To strengthen and promote quality initiatives, the assisted child care program will be administered through the Office of Child Care.

The Lead Agency collaborates with Federal, State, and Local partners on a regular basis. Coordination activities include participation as a member on several committees. The Utah Early Childhood Coordinating Council has representatives from various agencies working together on the Utah Head Start- State Collaboration Project. The Utah Interagency Coordinating Council for Infants and Toddlers with Special Needs and Their Families meets on a monthly basis. Committee membership includes staff from Department of Education, Community and Family

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Health Services, Division of Services for People with Disabilities, Head Start, and other agencies invested in children's issues.

The Lead Agency also coordinates services and planning processes with Department of Health, Bureau of Facility Licensing-Child Care Unit, Board of Education, and other public and private agencies to promote quality environments for children through contracts and collaboration grants.

**Section 2.2 - Public Hearing Process:**

Describe the Statewide public hearing process held to provide the public an opportunity to comment on the provision of child care services under this Plan. At a minimum, the description must include the date(s) of the hearing(s), how and when the public was notified Statewide of the hearing(s), the hearing site(s), and how the content of the Plan was made available to the public in advance of the hearing. (658D(b)(1)(C), §98.14(c))

Seven public forums were held throughout the State during the months of March and April 2001 specifically to gather community input on the State Plan. The Lead Agency utilized DWS Regional Councils, Department of Health, Licensing, and CCR&R's in the process. Postcards were mailed to parents receiving assisted child care. Notices were also published in local newspapers. Information was posted on the DWS website and opportunities for public comment were welcomed via email, writing, phone, etc. Parents, child care providers, child care advocates, local and state government representatives were present.

Five public hearings were scheduled statewide:

May 30, 2001	Salt Lake City	Workforce Services	6-8 p.m.
May 31, 2001	Ogden	Weber County Main Library	6-8 p.m.
June 2, 2001	Provo	Workforce Services	9-11 a.m.
June 2, 2001	Price	Workforce Services	1-3 p.m.
June 7, 2001	Cedar City	Cedar City Library	6-8 p.m.

Notice of public hearing was posted statewide 20 days or more in advance via newspaper public notices. Public notice was published in the following newspapers: Salt Lake Tribune, Deseret News, Ogden Standard Examiner, Provo Daily Herald, Price Sun Advocate, The Spectrum, and The Richfield Reaper.

The schedule and a copy of the State Plan was made available on the DWS website. Written comments were accepted through June 15, 2001 when filed with the Department of Workforce Services.

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**Section 2.3 - Public-Private Partnerships:** Describe the activities, including planned activities, to encourage public-private partnerships which promote private-sector involvement in meeting child care needs. (658D(b)(1), §98.16(d))

Office of Child Care Advisory Committee. The Office of Child Care has a legislatively created Advisory Committee comprised of 13 community representatives. As representatives of the child care community, the Advisory Committee advises the office on community child care issues to insure appropriate child care policy is developed. Recently, the Advisory Committee established sub-committees to address topic areas and to address specific projects. The sub-committees are:

Executive Committee (comprised of committee chairs)  
Planning and development  
Public Awareness and Marketing  
Operations and Measurement

Work/Life Initiatives. The Department of Workforce Services/Office of Child Care is continuing the process of identifying Utah's Top Ten Most Family-Friendly Companies. This project has been successful in educating and engaging the business community on the importance of forward thinking work/life policies. The fourth annual awards will be presented in January 2002.

Governor's Business Commission on Child Care. In 1999, Utah's Governor appointed ten business people to the Governor's Business Commission on Child Care. The commission met for one year and in the Fall of 2000 published its recommendations. In FY02-03, the Department of Workforce Services/Office of Child Care will begin the work of implementing those recommendations. They are:

1. Increase the business community's understanding that quality child care is a business imperative.
2. Establish a non-profit child care organization for in-home child care providers.
3. Develop public/private partnerships designed to enhance programs for school-age children between 3 pm and 6 pm.
4. Maximize available funding sources.
5. Appoint an individual to oversee the implementation of the recommendations made by the commission. (This individual will be the Office of Child Care director).

Head Start. The Utah Office of Child Care will continue to support Head Start and Early Head Start programs in Utah. Initiatives to be studied in FY02-03 are:

1. Braided funding options
2. Employer supported Head Start/full day child care
3. Joint training and professional development opportunities
4. Head Start and Early Head Start teachers are eligible to participate in the Office of Child Care Career Ladder project.

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Private Child Care Associations. The Office of Child Care also collaborates with Utah child care provider associations to deliver training. The office provides financial support to local associations for training and accreditation initiatives.

School Age Care. Recommendation #3 of the Governor’s Business Commission on Child Care is to “Develop public/private partnerships designed to enhance programs for school-age children between 3 pm and 6 pm”.

In FY02-03, the school age program specialist in the Office of Child Care will utilize a “Community Partner Questionnaire” as a tool for school age programs to build a relationship with local government and or local business.

School age programs located in public schools are encouraged to form partnerships with private child care centers who offer school age care. During FY02-03, the Office of Child Care will facilitate these partnerships.

State Interagency Collaborations. The Office of Child Care will continue to work collaboratively with other state agencies to ensure that all of Utah’s children have access to quality, affordable child care. Office of Child Care staff actively participate on numerous state agency committees and groups addressing children’s issues.

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**PART 3 -- CHILD CARE SERVICES OFFERED**

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**Section 3.1 - Description of Child Care Services:**

**REMINDER:** The Lead Agency must offer certificates for services funded under 45 CFR 98.50. (98.30) Certificates must permit parents to choose from a variety of child care categories including center-based care, group home care, family child care and in-home care. (§98.30(e))

3.1.1 In addition to offering certificates, does the Lead Agency also have grants or contracts for child care slots?

(x ) No.

( ) Yes, and the following describes the types of child care services and the range of providers that will be available through grants or contracts: (658A(b)(1), 658P(4), §§98.16(g)(1), 98.30(a)(1) & (b))

Utah runs a certificate program for child care expenses to eligible parents. Child care providers must meet state licensing rules or, if not required to be licensed by state law, sign the License Exempt/Registration Health and Safety Certification before payment is sent to the parent. The Lead Agency has established the residential certificate as the minimum health and safety standard for non relative, private home providers. Exceptions to this requirement and/or a grace period not to exceed 3 months to obtain a residential certificate may be approved on a case by case basis. Providers and services include:

Center based child care providers must meet state licensing standards. Department of Health, Bureau of Facility Licensing-Child Care unit administers and monitors these standards that include health and safety components.

Group child care providers may operate in the community to provide care for up to 16 children. These providers must complete application with the Bureau of Facility Licensing-Child Care unit, provide references, and submit fingerprints for Bureau of Criminal Investigations (BCI) records check. The provider is required to attend limited training as part of the application process. This setting is monitored for health and safety component compliance.

Family child care providers may operate in the community to provide care for up to 8 children. These providers must also complete application with the Bureau of Facility Licensing-Child Care Unit, provide references, and submit fingerprints for Bureau of Criminal Investigations (BCI) records check. The provider is required to attend limited training as part of the application process. This setting is monitored for health and safety component compliance.

Residentially certified providers may operate in the community to provide care for up to 8 children. These providers must also complete application with the Bureau of Facility Licensing-Child Care Unit, provide references, and submit fingerprints for Bureau of Criminal Investigations (BCI) records check. The provider is required to attend First Aid and CPR training

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as part of the application process. This setting is monitored for health and safety component compliance.

Providers legally exempt from licensing law also operate in the community. Non relative, private home providers may provide care for not more than 4 unrelated children. Legally exempt providers also include relative providers, care provided as part of the program of an education institution regulated by the boards of education of this state, and a parochial school or a parochial child care institution where an educational curriculum is offered.

These providers must contact the local administering agency and receive information on child care health and safety. Providers exempt from licensing must self certify that they meet health and safety standards and are operating legally. Once they agree and sign the Health and Safety Certification, they are entered on a legally exempt provider register. See Attachment G. This list is not used as a referral list but used to ensure health and safety compliance. Parents assume the major responsibility to monitor the health and safety of their children in these settings.

3.1.2 The Lead Agency must allow for in-home care, but may limit its use. Does the Lead Agency limit the use of in-home care in any way?

(x) No.

( ) Yes, and the limits and the reasons for those limits are (§§98.16(g)(2), 98.30(e)(1)(iv)):

3.1.3 Are all of the child care services described in 3.1.1 above (including certificates) offered throughout the State? (658E(a), §98.16(g)(3))

(x) Yes

( ) No, and the following are the localities (political subdivisions) and the services that are not offered:

**Section 3.2 - Payment Rates for the Provision of Child Care:**

The statute (at 658E(c)(4)) requires the Lead Agency to establish payment rates for child care services that ensure eligible children equal access to comparable care and these rates are provided as Attachments A, E. The attached payment rates are effective as of March 31, 2001.

The following is a summary of the facts relied on by the State to determine that the attached rates are sufficient to ensure equal access to comparable child care services provided to children whose parents are not eligible to receive child care assistance under the CCDF and other governmental programs. Include, at a minimum:

- The month and year of the local market rate survey(s): September 2000 (§98.43(b)(2))

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- How the payment rates are adequate to ensure equal access based on the results of the above noted local market rate survey (i.e., the relationship between the attached payment rates and the market rates observed in the survey): (§98.43(b))

Payment rates under the CCDF block grant are calculated using rates established at the 70<sup>th</sup> percentile by local market rate survey. Surveys are completed every two years. Rates established at 65 to 75 percentile ensure parents equal access to comparable child care services provided to children whose parents do not receive child care subsidies. The lead agency works closely with the resource and referral network within the state to monitor availability and accessibility of affordable child care throughout the state.

Payments are based on the lesser of the provider charge, parent participation cost, or maximum monthly local market rate established by survey. A statewide limit or maximum cap is set for each provider type and age of child category.

Parent participation cost refers to the cost of the units of actual participation hours in agreed upon activities and is based on the child's age and provider type. For infants, the unit cost per hour is determined by dividing 137.6 into the Monthly Local Market Rate (MLMR) for that provider type and age of child. Parents participating 32-40 hrs per week may receive up to the MLMR for infant care. For all other age groups, the unit cost per hour is determined by dividing 172 (full time participation units) into the MLMR. See attachments A and E. Parents participating over 172 hours per month may qualify for an additional payment.

- Additional facts that the Lead Agency relies on to determine that its payment rates ensure equal access include: (§98.43(d))
- If the payment rates do not reflect individual rates for the full range of providers -- center-based, group home, family and in-home care -- explain how the choice of the full range of providers is made available to parents:

**Section 3.3 - Eligibility Criteria for Child Care:**

By statute, all eligible children must be under the age of 13 and reside with a family whose income does not exceed 85% of the State Median Income (SMI) for a family of the same size and whose parent(s) are working or attending a job training or educational program or who receive or need to receive protective services. (658E(c)(3)(B), 658P(3), §98.20(a))

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3.3.1 Complete column (a) in the matrix below. Complete Column (b) ONLY IF the Lead Agency is using income eligibility limits lower than 85% of the SMI).

**IF APPLICABLE**

<b>Family Size</b>	<b>(a) 85% of State Median Income (SMI) (\$/month)</b>	<b>(b) Income Level, lower than 85% SMI, if used to limit eligibility (\$/month)</b>
1		
2	<b>\$2,647</b>	\$1,744
3	<b>\$3,269</b>	\$2,154
4	<b>\$3,892</b>	\$2,564
5	<b>\$4,515</b>	\$2,974

Utah serves families whose income does not exceed 56% of State Median Income after allowable deductions.

3.3.2 How does the Lead Agency define “income” for the purposes of eligibility? Is any income deducted or excluded from total family income, for instance, work or medical expenses; child support paid to, or received from, other households; Supplemental Security Income (SSI) payments? Is the income of all family members included, or is the income of certain family members living in the household excluded? Please describe and/or include information as Attachment \_\_\_\_B\_\_\_\_. (§§98.16(g)(5), 98.20(b))

The Lead Agency defines income as cash or in-kind benefits received by household members. It includes earned income and unearned income.

Eligibility for Employment Support Child Care is determined using the following eligibility criteria:

1. Gross family income is counted. A medical deduction of \$100 for each household and \$100 work allowance deduction for each working parent is allowed. Court ordered child support paid to, and first \$50 child support received are also allowable deductions.

2. Earned income exclusions include earned income of a minor child who is not the parent, earned income of an SSI recipient, and Earned Income Tax Credit.

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3. Unearned income exclusions include SSI payments, loans, government/rental subsidies, value of food program assistance, and Tribal benefits received by designated tribes.

4. Assets: Families with countable assets in excess of \$8,000 may not receive child care subsidies. Assets exempt include the home the family lives in, lot the home sits on, one vehicle for each household member participating in employment activities, any irrevocable trust, ownership or beneficial interest in any land or account which is held in trust by the United States, this state, or tribal account.

5. Net income is compared to the figures on the eligibility scale. Families with income in excess of the eligibility scale are not eligible for subsidies.

6. Parents must comply with the Office of Recovery Services to obtain court ordered child support or establish support from absent parents for their children.

7. Parents must be employed a minimum of 15 hours per week. For two parent families, one parent must be employed 15 hours per week and the other parent must be employed 35 hours per week.

3.3.3 Has the Lead Agency established additional eligibility conditions or priority rules, for example, income limits that vary in different parts of the State, special eligibility for families receiving TANF, or eligibility that differs for families that include a child with special needs? (658E(c)(3)(B), §98.16(g)(5), §98.20(b))

( ) No

(x) Yes, and the additional eligibility criteria are: (Terms must be defined in Appendix 2)

Utah coordinates eligibility criteria for child care services. There are two main categories of eligibility, eligibility for Family Employment Program participants funded by TANF, and all other parents who need child care to support employment and employment and training activities. This reduces administrative costs because it requires minimum computer programming and the staff are familiar with the eligibility rules when delivering services.

Child care eligibility for Family Employment Program parents is determined by participation in an approved employment plan.

Income limits are raised to 85% State Median Income for families with children who have disabilities and have special child care needs. All other employment support criteria are the same.

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- 3.3.4 Has the Lead Agency elected to waive, on a case-by-case basis, the fee and income eligibility requirements for cases in which children receive, or need to receive, protective services, as defined in Appendix 2? (658E(c)(3)(B), 658P(3)(C)(ii), §98.20(a)(3)(ii)(A))
- (x) Not Applicable, CCDF-funded child care is not provided in cases in which children receive, or need to receive, protective services.
- ( ) No
- ( ) Yes
- 3.3.5 Does the Lead Agency allow child care for children age 13 and above who are physically and/or mentally incapable of self-care? (Physical and mental incapacity must then be defined in Appendix 2.) (658E(c)(3)(B), 658P(3), §98.20(a)(1)(ii))
- ( ) No
- (x) Yes, and the upper age is 18.
- 3.3.6 Does the Lead Agency allow child care for children age 13 and above who are under court supervision? (658P(3), 658E(c)(3)(B), §98.20(a)(1)(ii))
- ( ) No
- (x) Yes, and the upper age is 18.
- 3.3.7 Does the State choose to provide CCDF-funded child care to children in foster care whose foster care parents are not working, or who are not in education/training activities? (§§98.20(a)(3)(ii), 98.16(f)(7))
- ( ) Yes. (**NOTE:** This means that for CCDF purposes the State considers these children to be in protective services.)
- (x) No.
- 3.3.8 Does the State choose to provide respite child care to children in protective services? (§§98.16(f)(7), 98.20(a)(3)(ii)(A) & (B))
- ( ) Yes.
- (x) No.

**Section 3.4 Priorities for Children:**

- 3.4.1 The following describes the priorities for serving CCDF-eligible children including how statutorily required priority is given to children of families with very low family income and children with special needs: (Terms must be defined in Appendix 2) (658E(c)(3)(B))

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During high demand for child care services, a waiting list process is implemented. Special needs children and low income families are placed at the top of the list and are served first.

Families with children who have special child care needs may be served at 85% State Median Income. See Attachment D. Utah also has a program which pays providers mini grants for special equipment, training, minor facility modifications and/or for identified costs to providers who care for special needs children and require additional provider services above and beyond regular child care needs. Utah continues to work on developing additional provider settings for these children.

- 3.4.2 The following describes how CCDF funds will be used to meet the needs of families who are receiving Temporary Assistance for Needy Families (TANF), families who are attempting through work activities to transition off of TANF, and families that are at risk of becoming dependent on TANF. (658E(c)(2)(H), Section 418(b)(2) of the Social Security Act, §§98.50(e), 98.16(g)(4))

In Utah, Temporary Assistance for Needy Families (TANF) is known and administered under the Family Employment Program (FEP). Utah's child care services will support these families when they are employed or are participating in activities that lead to employment as negotiated in their approved employment plan.

Utah will continue to service all working families transitioning off of the Family Employment Program and all other families at risk of becoming dependent on such assistance whose incomes are at or below 56% State Median Income. Child care continues for as long as the families meet the eligibility criteria established.

**Section 3.5 - Sliding Fee Scale for Child Care Services:**

- 3.5.1 A sliding fee scale, which is used to determine each family's contribution to the cost of child care, must vary based on income and the size of the family. A copy of this sliding fee scale for child care services and an explanation of how it works is provided as Attachment C.

Will the Lead Agency use additional factors to determine each family's contribution to the cost of child care? (658E(c)(3)(B), §98.42(b))

- ( ) No.  
(x ) Yes, and the following describes any additional factors that will be used to determine a family's contribution including, but not limited to, a maximum amount (family cap), number of children in care, and/or whether care is full or part-time:

The income adjustment or sliding fee scale varies based on income and the size of the family. There are other factors involved in the process of determining a child care payment. The parent

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is responsible for paying the total cost for services to the designated provider. A participation cost is calculated based on parent participation in approved activities. A maximum monthly cap per child per month is established by local market rate survey. Payment is generated based on the lesser of the monthly maximum rate, participation cost, and provider charge.

3.5.2 Is the same sliding fee scale provided in the attachment in response to question 3.5.1 above in use in all parts of the State? (658E(c)(3)(B))

☒ Yes

☐ No, and other scale(s) are provided as Attachment \_\_\_\_.

3.5.3 The Lead Agency may waive contributions from families whose incomes are at or below the poverty level for a family of the same size, (§98.42(c)), and the poverty level used by the Lead Agency for a family of 3 is: \$\_\_\_1, 180\_\_\_\_\_.

The Lead Agency must elect ONE of these options:

☐ ALL families with income at or below the poverty level for a family of the same size ARE NOT required to pay a fee.

☐ ALL families, including those with incomes at or below the poverty level for families of the same size, ARE required to pay a fee.

☒ SOME families with income at or below the poverty level for a family of the same size ARE NOT required to pay a fee. A description of these families is:

Some families who are at or below 100% of poverty are not subject to the income adjustment scale. These families participate in the Family Employment Program. They transition off of TANF at 90% of poverty.

3.5.4 Does the Lead Agency have a policy which prohibits child care providers from charging families any unsubsidized portion of the providers' normal fees (in addition to the contributions discussed in 3.5.1)? (§98.43(b)(3))

☒ No

☐ Yes, please describe:

3.5.5 The following is an explanation of how the copayments required by the Lead Agency's sliding fee scale(s) are affordable: (§98.43(b)(3))

Families with income at or below the federal poverty level are required to pay a low minimum co-payment that does not exceed 10% of their gross income. The highest fee a family is required to pay does not exceed 15% of family income. Income groups are defined on Attachments B and D, Eligibility Tables. Income groups are based on the number of people in the household.

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**Section 3.6 - Certificate Payment System:**

A child care certificate means a certificate, check, or other disbursement that is issued by the Lead Agency directly to a parent who may use it only to pay for child care services from a variety of providers (including center-based, group home, family and in-home child care), or, if required, as a deposit for services. (658E(c)(2)(A)), 658P(2), §§98.2, 98.16(k), 98.30(c)(3) & (e)(1))

Describe the overall child care certificate payment process, including, at a minimum:

3.6.1 A description of the form of the certificate: (§98.16(k))

Attachment F, Form 980, Child Care Subsidy Worksheet, is the certificate that authorizes child care services for parents. The form is used to determine need for child care to support parent's participation in approved activities. It is also used to gather the provider type, hours each child is in child care, and provider charge for services. Upon eligibility determination and authorization of assistance, the parent receives a two-party check in the mail to take to their child care provider.

3.6.2 A description of how the certificate program permits parents to choose from a variety of child care settings by explaining how a parent moves from receipt of the certificate to the choice of provider; (658E(c)(2)(A)(iii), 658P(2), §§98.2, 98.30(c)(4) & (e)(1) & (2))

Eligible parents may choose any provider that is licensed or that meets minimum health and safety standards established. Parents take the certificate, Form 980, to the provider of their choice to complete. Parents choose the child care setting that best meets their needs.

Eligible parents are given a prospective payment for child care reimbursement based on need via two party check. The check is issued in the name of the parent and provider. The payment is mailed to the parent. Up to \$125 may be issued via electronic benefit transfer upon initial eligibility determination and/or in emergency situations.

3.6.3 If the Lead Agency is also providing child care services through grants and contracts, explain how it ensures that parents offered child care services are given the option of receiving a child care certificate. (§98.30(a) & (b))

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**PART 4 - PROCESSES WITH PARENTS**

4.1 The following describes the process for a family to apply/receive child care services (658D(b)(1)(A), 658E(c)(2)(D) & (3)(B), §§98.16(k), 98.30(a) through (e)). If the process varies for families based on eligibility category, for instance, TANF versus non-TANF, please describe. The description should include:

- How parents are informed of the availability of child care services and of available child care options;
- Where/how applications are made;
- Who makes the eligibility determination;
- How parents who receive TANF benefits are informed about the exception to individual penalties as described in 4.4; and
- Length of eligibility including variations that relate to the services provided, e.g., through collaborations with Head Start or pre-kindergarten programs.

Information on the availability of child care subsidies is available to the public through a variety of sources. Parents may learn of the program through the resource and referral agency network, which collects and updates detailed information on available child care resources, child care providers, or any number of child care advocacy groups. Individuals receiving TANF are told that child care subsidies are available as part of the eligibility interview. Brochures outlining DWS supportive services, including child care assistance, are displayed in local employment centers.

Families may receive child care subsidies by making application in the local Employment Center of the Department of Workforce Services. Initial eligibility determination is made by the Employment Center, Department of Workforce Services staff. Ongoing eligibility may be managed at the Employment Center or by the Regional Eligibility Service Center, Department of Workforce Services depending on the area. A list of center locations is attached. See Attachment H. Eligibility criteria are described in Section 3.3 above.

Parents are advised during the eligibility interview that they may choose their own child care provider. Eligible families may choose child care services from providers who are licensed or providers who meet minimum health and safety standards as described in 3.1.1. Parents are encouraged to choose child care arrangements that best meet the family needs. Parents are referred to the local CCR&R when assistance is needed in locating child care.

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Parents receive the Form 980, Child Care Subsidy Worksheet that they present to the child care provider of their choice. See Attachment F. The provider declares the monthly rate charged for their child care services, monthly hours each child is in care, and signs the Form 980.

The parent's weekly hours of participation in approved activities and monthly provider charge is entered into the PACMIS computer system. PACMIS calculates a participation cost and determines the amount of the payment based on the lesser of the participation cost, provider charge, and monthly local market rate. The payment is issued via two-party check and mailed to the parent. Refer to section 3.6.2

If at any time a TANF recipient is unable to locate appropriate child care, the DWS Service Provider will assist and discuss alternatives with the parent. When it is clear that there is an inability to obtain needed child care, the DWS Service Provider will discuss the exception to individual penalties as described in 4.4 in terms of employment plan activities.

Need for child care is re-established at reviews or sooner as determined by the DWS Service Provider. Review periods may be approved up to 6 months for stable child care cases. Monthly eligibility continues until such time as the parent is no longer eligible.

4.2       The following is a detailed description of how the State maintains a record of substantiated parental complaints and how it makes the information regarding such parental complaints available to the public on request. (658E(c)(2)(C), §98.32))

The Bureau of Facility Licensing-Child Care Unit maintains substantiated parental complaints for all Licensed providers. The parent can make a complaint in person, by phone, or in writing. Bureau of Facility Licensing-Child Care Unit investigates all complaints and established a provider record of substantiated complaints. This is made available to parents at any time upon request. Licensed providers are mandated by law to post for public view, notice of action pertaining to child abuse or actions addressing the jeopardy of health and safety to children.

Substantiated parental complaints about license exempt providers are maintained by the local Employment Center, Department of Workforce Services. The parent can make a complaint in person, by phone, or in writing. Abuse and neglect complaints are referred to Department of Human Services, Child Protective Services or the local law enforcement agency for investigation. A record is established on all substantiated complaints and is available at any time upon request. Parents who make complaints against exempt providers for child abuse or lack of health and safety are told to choose another provider. The Department of Workforce Services may help the parent file a child protective service complaint with the police or Division of Child and Family Services. Upon request, the agency will furnish information and referral to help the parent find another setting.

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- 4.3 The following is a detailed description of the procedures in effect in the State for affording parents unlimited access to their children whenever their children are in the care of a provider who receives CCDF funds. (658E(c)(2)(B), §98.31))

Parents are afforded unlimited access to their children in care. Licensed exempt providers must sign an agreement that outlines health and safety criteria and accessibility to children by parents. Providers are required to certify that parents are allowed access to their children at all times. The Bureau of Facility Licensing-Child Care Unit monitors licensed and residentially certified providers. Parents monitor license exempt providers. Complaints are handled by Department of Workforce Services and local law enforcement agencies.

- 4.4 The regulations at §98.33(b) require the Lead Agency to inform parents who receive TANF benefits about the exception to the individual penalties associated with the work requirement for any single custodial parent who has a demonstrated inability to obtain needed child care for a child under 6 years of age.

In fulfilling this requirement, the following criteria or definitions are applied by the TANF agency to determine whether the parent has a demonstrated inability to obtain needed child care:

(NOTE: The TANF agency, not the Child Care Lead Agency, is responsible for establishing the following criteria or definitions. These criteria or definitions are offered in this Plan as a matter of public record. The TANF agency that established these criteria or definitions is: \_

Department of Workforce Services-Service Delivery Support.

- "appropriate child care":

Appropriate child care is determined by the parent. The parent chooses the care setting that best meets the child's developmental needs. "Finding" appropriate child care will be counted as parent participation in the State's TANF program.

- "reasonable distance":

Travel that requires a two hour round trip unless the commute time for the community is generally longer.

- "unsuitability of informal child care":

A care setting chosen by the parent that is operating illegally as defined by Utah law or setting where substantiated evidence of child abuse exists.



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- "affordable child care arrangements":

An available provider in the community whose charge for services does not exceed the LMR established at the 75<sup>th</sup> percentile.

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**PART 5 - ACTIVITIES & SERVICES TO IMPROVE  
THE QUALITY AND AVAILABILITY OF CHILD CARE**

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5.1 The Child Care and Development Fund provides earmarks for infant and toddler care and school-age care and resource and referral services as well as the special earmark for quality activities.

- The following describes the activities funded to improve the quality of care for infants/toddlers and identifies the entity(ies) providing them:

The two overarching outcome goals for the Office of Child Care Infant/Toddler activities are to:

1. To increase the availability of infant/toddler care in Utah.
2. To increase the quality of infant/toddler care in Utah.

These goals will be achieved through the following activities:

In the Fall of 2000, the Office of Child Care released funding for two infant/toddler initiatives designed to improve the availability, affordability and quality of infant and toddler care.

Initiative #1. Quality improvement grants available to both licensed center and family care providers. 380 grants were given to licensed providers. On-going quality improvement grants will be awarded based upon the need determined by a HARMS rating.

Initiative #2. Seventeen month contracts available to licensed child care centers. These contracts will fund the creation infant care where non existed, expand the number of slots, enhance overall center operations of infant/toddler programs, and assist in the programs ability to meet State and local standards. Centers will be required to participate in a newly created Infant/Toddler Career Ladder Endorsement. On-site technical assistance will required. The HARMS infant/toddler rating scale will be used to measure the effectiveness of this project. Contracts will conclude in June 2002 and have a one year renewal option.

-The Office of Child Care will introduce an Infant/Toddler Career Ladder Endorsement in the summer of 2001.

-Child Care Resource and Referral will encourage recruitment of infant and toddler care providers. This will include start up grants, quality improvement grants and incentives.

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- The following describes child care resource and referral activities funded and identifies the entity(ies) providing them:

The two overarching outcome goals for the Office of Child Care Child Care Resource and Referral activities are to:

1. To support families by increasing their access to child care and parenting resources.
2. To support child care providers to expand the supply and enhance the quality of care.

These goals will be achieved through the following activities:

- The Office of Child Care will continue to provide child care resource and referral (CCRR) network support.

- The Office of Child Care will continue to support the following CCRR Core Services:

- Maintain comprehensive database
- Furnish individualized consumer education
- Initiate or maintain community collaboration and outreach
- Recruit new child care resources
- Retain existing child care resources
- Provide technical assistance to child care providers and parents
- Render child care training
- Initiate or maintain employer information and support

Utah's CCRR services are provided by the following entities:

- Utah State University
- Weber State University
- Children's Service Society of Utah
- Utah Valley State College
- College of Eastern Utah
- Five County Association of Governments

The following describes school-aged child care activities funded and identifies the entity(ies) providing them.

The two overarching outcome goals for the Office of Child Care School-Age activities are to:

1. To increase the availability and quality of school-age care in Utah.
2. To develop an increased number of public/private partnerships designed to enhance programs for school-age children.
3. To develop an appropriate funding strategy for school age-care in Utah.

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These goals will be achieved through the following activities:

- The Office of Child Care will continue to support out-of-school time programs in Utah. Currently, the Department of Workforce Services/Office of Child Care contracts with 23 private and public providers who operate 61 school-age program sites in Utah. There are 59 school year programs and 11 summer programs partially funded with CCDF funds.
- The Office of Child Care provides on-site monitoring and training/technical assistance to these programs.
- The effectiveness of school-age programs will be measured using the HARMS school-age environmental rating scale.
- The Office of Child Care will encourage and support national accreditation of out-of-school time programs in Utah.
- The Office of Child Care will collaborate with the Utah School Age Care Alliance when they host the National School Age Conference to be held in Salt Lake City in February 2003.
- The school-age program specialist within the Office of Child Care participates in a variety of community meetings with individuals and agencies interested in school age care issues.
- The Office of Child Care has asked school age programs to complete 5 or 6 “Community Partner Questionnaires” per program as a way to build their relationship with local government and or local businesses.
- The Office of Child Care will develop a relationship with the Partners in Education and PTA to create partnerships in supporting out-of-school time care.
- A subcommittee of the Office of Child Care Advisory Committee will study the office’s funding philosophy and develop an appropriate strategy.

The Office of Child Care contracts with the following entities to offer school-age care:

City of Logan Parks and Recreation  
Davis School District  
Lincoln Center Boys & Girls Club  
Ogden School District  
Redwood Preschool Inc.  
Granite School District Adult & Community  
Education  
Kid Power  
MAGIC

Salt Lake City School District  
Vietnamese Volunteer Youth Association  
YWCA of Salt Lake City  
Adventure Time  
Orem Jr. High  
Provo City School District  
Boys & Girls Club of Utah County  
Wasatch County Parks and Recreation  
Wasatch County School District

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Carbon County School District  
Utah State University Extension

Community Cares of Southern Utah  
Millard School District

5.2 The law requires that not less than 4% of the CCDF be set-aside for quality activities (658E(c)(3)(B), 658G, §§98.13(a), 98.16(h), 98.51, 98.16(h)). The Lead Agency estimates that the following amount and percentage will be used for the quality activities (not including earmarked funds):

\$ \_\_\_\_1,800,000 ( 4 %) New budget amounts, no

5.3 Check either "Yes" or "No" for each activity listed to indicate which activities the Lead Agency will undertake to improve the availability and quality of child care (include activities funded through the 4% quality set-aside as well as the special earmark for quality activities). (658E(c)(3)(B), §§98.13(a), 98.16(h))

Yes No

- ☒ ☐ comprehensive consumer education; (§98.51(a)(1)(i))  
☒ ☐ grants or loans to providers to assist in meeting State and local standards; (§98.51(a)(2)(ii))  
☒ ☐ improving the monitoring of compliance with licensing and regulatory requirements; (§98.51(a)(2)(iii))  
☒ ☐ training, education, and technical assistance; (§98.51(a)(2)(iv))  
☒ ☐ improving salaries and other compensation for child care providers; (§98.51(a)(2)(v))  
☒ ☐ other quality activities that increase parental choice, and improve the quality and availability of child care. (§98.51(a)(1)(ii) & (ii))

5.4 Describe each activity that is checked "Yes" above and identify the entity(ies) providing them.

**Comprehensive consumer education.**

-Parents applying for assisted child care subsidy receive information during the initial interview by viewing a slide show or a video on "How to Choose Quality Child Care". Pamphlets and booklets addressing quality child care are available in the waiting area of each Department of Workforce Services Employment Center.

-Child Care Resource and Referral agencies offer community workshops on choosing quality child care.

-The Office of Child Care maintains a website designed to provide consumer information, work/life information and supportive links. [www.dws.state.ut.us](http://www.dws.state.ut.us)

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-The Office of Child Care provides financial support to local CCRRs and provider associations to recognize the Month of the Young Child and Provider Appreciation Day. These events are celebrated in a variety of ways throughout the state.

-In FY 02, the Office of Child Care Advisory Committee Public Awareness sub-committee will begin working to create a comprehensive public awareness plan.

-The Department of Workforce Services provides the Office of Child Care with press release and public affairs support. The Office of Child Care's public awareness plan will be part of the over all Department of Workforce Services communication plan.

See Attachment I for samples of consumer education materials.

**Grants or loans to providers to assist in meeting State and local standards.**

-See 5.1. Infant/Toddler initiatives.

-Through TANF funds, the Office of Child Care in conjunction with local CCRR will award "Quality Improvement Grants" to help approved providers meet local health and safety/licensing standards.

**Improving the monitoring of compliance with licensing and regulatory requirements.**

-The Department of Workforce Services/Office of Child Care has an Interagency Agreement with the Utah Department of Health/Child Care Licensing for the following activities.

See Attachment J for a copy of the Interagency Work Statement.

**Training, education, and technical assistance.**

-The two overarching outcome goals for the Office of Child Care Training and Professional Development activities are to:

1. Improve the quality of child care for all children in Utah by increasing the levels of education and experience of early childhood/child care workers.
2. Improve school readiness in Utah's children by increasing the levels of training and expertise of early childhood/child care workers.

These goals will be met by the following activities:

1. Expand the Career Ladder levels and number of participants
2. Provider Achievement Award Program
3. National Accreditation Support
4. On-site technical assistance to providers

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For complete details see Attachment K.

-The three overarching outcome goals for the Office of Child Care Work/Life activities are to:

1. To increase the business community's understanding that quality child care is a business imperative.
2. To recognize those businesses in Utah who successfully implement work/life initiatives.
3. To successfully communicate to the community that work/life initiatives are one strategy to improve the quality, availability and accessibility of child care in Utah.

These goals will be met by the following activities:

1. Providing information regarding work/life options to Utah employers via our website and in person presentations.
2. Presenting the fourth annual awards to Utah's Top Ten Most Family Friendly Employers at the Utah Employer Conference in January 2002.
3. To begin implementation of the Business Commission recommendations.

For complete details see Attachment L.

**Improving salaries and other compensation for child care providers.**

- Provider Achievement Award
- Legislative Intent Language to study issues related to providing health care insurance to providers
- Worthy Wage initiative

**Other quality activities that increase parental choice, and improve the quality and availability of child care.**

-Governor's Business Commission on Child Care. In September 1999, the Governors' office established the Governor's Business Commission on Child Care. Nine Utah Business leaders were appointed to study Utah's child care needs and to develop recommendations to address the identified needs and challenges.

The Commission identified the following general categories of challenges facing Utah's child care system:

1. Availability of child care options
2. Affordability of child care options
3. Creation and implementation of child care best practices

The Commission then developed the following five recommendations:

1. Increase the business community's understanding that quality child care is a business imperative.

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2. Establish a not-for-profit child care organization for in-home providers
  3. Develop public/private partnerships for programs designed to care for school-age children
  4. Maximize available child care funding sources
  5. Appoint an individual to oversee the implementation of the recommendations proposed by the Commission.

During FY02/03 the Department of Workforce Services and the Office of Child Care will begin the work of implementing the recommendations.

See Attachment I for samples of consumer education materials.

-Office of Child Care Expendable Trust Fund. The expendable trust fund was created in 1993 to accept monies designated for child care initiatives improving the quality, affordability or accessibility of child care. Money may be deposited from numerous sources.

Funds may be used for any of the following activities:

1. Training of child care providers
2. Scholarships and grants for child care providers' professional development
3. Public awareness and consumer education services
4. Child care provider recruitment
5. Office of Child Care sponsored activities
6. Activities specified for obtaining grants
7. Activities that will assist in the improvement of child care quality, affordability and/or accessibility.

Recipients of the fund may include:

1. Local governments
2. Nonprofit community, charitable, or neighborhood-based organizations
3. Regional or statewide nonprofit organizations
4. Child care providers

Decision Making Policy:

1. Money in the fund may not be expended without approval of the Advisory Committee
2. Quorum must be present to conduct business
3. Majority vote constitutes approval

In FY02/03, the Office of Child Care focus on the Trust Fund as a tool to assist the office in meeting its goals and objectives. The office will study securing 501c3 status for the Trust Fund. This tax status will enable the office to begin writing for public and/or private funding.

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- 5.5 Is any entity identified in sections 5.1 or 5.4 a non-governmental entity?  
( ) No.  
( x ) Yes, the following entities named in this Part are non-governmental:

Four of six CRRs are based at either a state college or university. One is based at an association of government office and one is based at a non-profit community services agency.

The majority of the contracts monitored by the Office of Child Care are held by private community or non-profit groups.

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**PART 6 - HEALTH AND SAFETY REQUIREMENTS FOR PROVIDERS**

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(ONLY THE 50 STATES AND THE DISTRICT OF COLUMBIA COMPLETE PART 6.  
ONLY TERRITORIES COMPLETE PART 7.)

The National Resource Center for Health and Safety in Child Care (NRCHSCC) of DHHS's Maternal and Child Health Bureau supports a comprehensive, current, on-line listing of the licensing and regulatory requirements for child care in the 50 States and the District of Columbia. In lieu of requiring a State Lead Agency to provide information that is already publicly available, ACF accepts this compilation as accurately reflecting the States' licensing requirements. The listing, which is maintained by the University of Colorado Health Sciences Center School of Nursing, is available on the World Wide Web at: <http://nrc.uchsc.edu/>

**Section 6.1 - Health and Safety Requirements for Center-Based Providers** (658E(c)(2)(F), §§98.41, §98.16(j))

6.1.1 Are all center-based providers paid with CCDF funds subject to licensing under State law which is reflected in the NRCHSCC's compilation referenced above? If:

- ( ) YES, answer 6.1.2 and proceed to 6.2.  
(x) NO, answer 6.1.2 and 6.1.3.

6.1.2 Have center licensing requirements as relates to staff-child ratios, group size, or staff training been modified since approval of the last State Plan? (§98.41(a)(2) & (3))

- ( ) YES  
(x) NO

6.1.3 For that center-based care which is NOT licensed, and therefore not reflected in NRCHSCC's compilation, the following health and safety requirements apply to child care services provided under the CCDF for:

- The prevention and control of infectious disease (including age-appropriate immunizations)

All licensed child care centers in Utah are subject to the NRCHSCC regulations as outlined above. Utah maintains a database (PR01) of centers which are licensed exempt and are required to meet minimum health and safety standards that include prevention and control of infectious disease. The PR01 registry requirements include hand washing instructions, center cleanliness, and instruction in proper handling of ill children. Records of child's immunizations must be kept on file with the caregiver.

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Licensed exempt providers who are participating in the Adult and Child Federal Food Program are subject to local Health and Fire Department inspections.

Utah defines licensed exempt providers who are registered on the PR01 database as: “non-relative private home providers caring for four or fewer children; relatives; care provided as part of an educational institution regulated by the boards of education of Utah; parochial schools or a parochial child care institution where an education curriculum is offered”

- Building and physical premises safety

See 6.1.3

- Health and safety training

Licensed exempt providers receive notification of training opportunities via their local child care resource and referral agency.

**Section 6.2 - Health and Safety Requirements for Group Home Providers** (658E(c)(2)(F), §§98.41, 98.16(j))

6.2.1 Are all group home providers paid with CCDF funds subject to licensing under State law which is reflected in the NRCHSCC's compilation referenced above? If:

- ( ) YES, answer 6.2.2 and proceed to 6.3.  
(x) NO, answer 6.2.2 and 6.2.3.

6.2.2 Have group home licensing requirements as relates to staff-child ratios, group size, or staff training been modified since the approval of the last State Plan?  
(§98.41(a)(2) & (3))

- ( ) YES  
(x) NO

6.2.3 For that group home care which is NOT licensed, and therefore not reflected in NRCHSCC's compilation, the following health and safety requirements apply to child care services provided under the CCDF for:

- The prevention and control of infectious disease (including age-appropriate immunizations)

See 6.1.3

- Building and physical premises safety

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See 6.1.3

- Health and safety training

See 6.1.3

**Section 6.3 - Health and Safety Requirements for Family Providers** (658E(c)(2)(F), §§98.41, 98.16(j))

6.3.1 Are all family home child care providers paid with CCDF funds subject to licensing under State law which is reflected in the NRCHSCC's compilation referenced above?  
If:

- ( ) YES, answer 6.3.2 and proceed to 6.4.  
(x) NO, answer 6.3.2 and 6.3.3.

6.3.2 Have family home child care provider requirements as relates to staff-child ratios, group size, or staff training been modified since the approval of the last State Plan?  
(§98.41(a)(2) & (3))

- ( ) YES  
(x) NO

6.3.3 For that family home care which is NOT licensed, and therefore not reflected in NRCHSCC's compilation, the following health and safety requirements apply to child care services provided under the CCDF for:

- The prevention and control of infectious disease (including age-appropriate immunizations)

See 6.1.3

- Building and physical premises safety

See 6.1.3

- Health and safety training

See 6.1.3

**Section 6.4 - Health and Safety Requirements for In-Home Providers** (658E(c)(2)(F), §§98.41, 98.16(j))

6.4.1 Are all in-home child care providers paid with CCDF funds subject to licensing under State law which is reflected in the NRCHSCC's compilation referenced above?  
If:

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- ( ) YES, answer 6.4.2 and proceed to 6.5.  
(x) NO, answer 6.4.2 and 6.4.3.

6.4.2 Have in-home health and safety requirements as relates to staff-child ratios, group size, or training been modified since the approval of the last State Plan?  
 (§98.41(a)(2) & (3))

- ( ) YES  
(x) NO

6.4.3 For that in-home care which is NOT licensed, and therefore not reflected in NRCHSCC's compilation, the following health and safety requirements apply to child care services provided under the CCDF for:

- The prevention and control of infectious disease (including age-appropriate immunizations)

See 6.1.3

- Building and physical premises safety

See 6.1.3

- Health and safety training

See 6.1.3

**Section 6.5 - Exemptions to Health and Safety Requirements**

At State option, the following relatives: grandparents, great grandparents, aunts, uncles, or siblings who live in a separate residence from the child in care, may be exempted from health and safety requirements (658P(4)(B), §98.41(a)(1)(ii)(A)). Indicate the Lead Agency policy regarding these relative providers:

- (x ) All relative providers are subject to the same requirements as described in sections 6.1 - 6.4 above, as appropriate; there are no exemptions for relatives or different requirements for them.
- ( ) All relative providers are exempt from all health and safety requirements.
- ( ) Some or all relative providers are subject to different health and safety requirements from those described in sections 6.1 - 6.4. The following describes those different requirements and identifies which relatives they apply to:

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**Section 6.6 - Enforcement of Health and Safety Requirements**

Each Lead Agency is required to certify that procedures are in effect to ensure that child care providers of services for which assistance is provided comply with all applicable health and safety requirements. (658E(c)(2)(E), §§98.40(a)(2), 98.41(d)) The following is a description of how health and safety requirements are effectively enforced:

- Are child care providers subject to routine unannounced visits?  
    ☐ No  
    ☒ Yes, and the following describes the providers subject to unannounced visits and the frequency of those visits.

All licensed providers receive at least 1 annual unannounced survey. If deficiencies are found at the time of survey, unannounced follow-up surveys are done until compliance is documented. Complaint investigations are unannounced.

Abuse allegations of relative care exempt providers would be investigated by Child Protective Services. Relative care providers who participate in the Child Care Food Program may receive unannounced visits from food program sponsors.

- Are child care providers subject to background checks?  
    ☐ No  
    ☒ Yes, and the following describes the providers subject to background checks.

All adults employed by licensed child care centers or residing in a home that is regulated by the child care licensing Bureau must pass a background check. The check includes criminal background screening for Utah, screening for child abuse on the Utah register, and if the individual has not lived in Utah for the past five years, a FBI clearance is obtained.

- Does the State require that child care providers report serious injuries that occur while a child is in care? ( Serious injuries are defined as injuries requiring medical treatment by a doctor, nurse, dentist, or other medical professional.)  
    ☐ No  
    ☒ Yes, and the following describes the State's reporting requirements and how such injuries are tracked (if applicable).

Child care centers are required to report serious injuries to the Bureau of Licensing within 24 hours. In licensed family child care, the provider must report within 5 working days. Residential Certificate providers are not required to report serious injury to the Bureau, but are required to inform parents. Other methods used to ensure health and safety requirements are effectively enforced:

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**Section 6.7 – Exemptions from Immunization Requirements**

The State assures that children receiving services under the CCDF are age-appropriately immunized, and that the health and safety provisions regarding immunizations incorporate (by reference or otherwise) the latest recommendations for childhood immunizations of the State public health agency. (§98.41(a)(1))

The State exempts the following children from immunization (check all that apply):

- ☐ Children who are cared for by relatives (defined as grandparents, great grandparents, siblings (if living in a separate residence), aunts and uncles).
- ☐ Children who receive care in their own homes.
- ☒ Children whose parents object to immunization on religious grounds.
- ☒ Children whose medical condition contraindicates immunization.

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**PART 7 - HEALTH AND SAFETY REQUIREMENTS IN THE TERRITORIES**

**Section 7.1 - Health and Safety Requirements for Center-Based Providers in the Territories**  
(658E(c)(2)(F), §98.41(a), §98.16(j))

For all center-based care, the following health and safety requirements apply to child care services provided under the CCDF for:

- The prevention and control of infectious disease (including age-appropriate immunizations)
- Building and physical premises safety
- Health and safety training

**Section 7.2 - Health and Safety Requirements for Group Home Providers in the Territories**  
(658E(c)(2)(F), §98.41(a), §98.16(j))

For all group home care, the following health and safety requirements apply to child care services provided under the CCDF for:

- The prevention and control of infectious disease (including age-appropriate immunizations)
- Building and physical premises safety
- Health and safety training

**Section 7.3 - Health and Safety Requirements for Family Providers in the Territories**  
(658E(c)(2)(F), §98.41(a), §98.16(j))

For all family child care, the following health and safety requirements apply to child care services provided under the CCDF for:

- The prevention and control of infectious disease (including age-appropriate immunizations)
- Building and physical premises safety
- Health and safety training

**Section 7.4 - Health and Safety Requirements for In-Home Providers in the Territories**  
(658E(c)(2)(F), §98.41(a), §98.16(j))

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For all in-home care, the following health and safety requirements apply to child care services provided under the CCDF for:

- The prevention and control of infectious disease (including age-appropriate immunizations)
- Building and physical premises safety
- Health and safety training

**Section 7.5 - Exemptions to Territorial Health and Safety Requirements**

At Lead Agency option, the following relatives: grandparents, great grandparents, aunts, uncles, or siblings who live in a separate residence from the child in care, may be exempted from health and safety requirements (658P(5)(B), 98.41(g)). Indicate the Lead Agency policy regarding these relative providers:

- ( ) All relative providers are subject to the same requirements as described in sections 7.1 - 7.4 above, as appropriate; there are no exemptions for relatives or different requirements for them.
- ( ) All relative providers are exempt from all health and safety requirements.
- ( ) Some or all relative providers are subject to different health and safety requirements from those described in sections 7.1 - 7.4 and the following describes those different requirements and which relatives they apply to:

**Section 7.6 - Enforcement of Health and Safety Requirements**

Each Lead Agency is required to certify that procedures are in effect to ensure that child care providers of services for which assistance is provided comply with all applicable health and safety requirements. (658E(c)(2)(E), §§98.40(a)(2), 98.41(d)) The following is a description of how Territorial health and safety requirements are effectively enforced:

- Are child care providers subject to routine unannounced visits?
  - ( ) No
  - (x ) Yes, and the following describes the providers subject to unannounced visits and the frequency of those visits.

All licensed providers receive at least 1 annual unannounced survey. If deficiencies are found at the time of survey, unannounced follow-up surveys are done until compliance is documented. Complaint investigations are unannounced.

Abuse allegations of relative care exempt providers would be investigated by Child Protective Services. Relative care providers who participate in the Child Care Food Program may receive unannounced visits from food program sponsors.

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- Are child care providers subject to background checks?

☐ No

☒ Yes, and the following describes the providers subject to background checks.

All adults employed by licensed child care centers or residing in a home that is regulated by the child care licensing Bureau must pass a background check. The check includes criminal background screening for Utah, screening for child abuse on the Utah register, and if the individual has not lived in Utah for the past five years, a FBI clearance is obtained.

- Does the Territory require that child care providers report serious injuries that occur while a child is in care? (Serious injuries are defined as injuries requiring medical treatment by a doctor, nurse, dentist, or other medical professional.)

☐ No

☒ Yes, and the following describes the Territory's reporting requirements and how such injuries are tracked (if applicable).

Child care centers are required to report serious injuries to the Bureau of Licensing within 24 hours. In licensed family child care, the provider must report within 5 working days. Residential Certificate providers are not required to report serious injury to the Bureau, but are required to inform parents.

- Other methods used to ensure health and safety requirements are effectively enforced:

**Section 7.7 – Exemptions from Immunization Requirements**

The Territory assures that children receiving services under the CCDF are age-appropriately immunized, and that the health and safety provisions regarding immunizations incorporate (by reference or otherwise) the latest recommendations for childhood immunizations of the Territorial public health agency. (§98.41(a)(1))

The Territory exempts the following children from immunization (check all that apply):

- \_\_\_\_\_ Children who are cared for by relatives (defined as grandparents, great grandparents, siblings (if living in a separate residence), aunts and uncles).
- \_\_\_\_\_ Children who receive care in their own homes.
- \_\_\_\_\_ Children whose parents object to immunization on religious grounds.
- \_\_\_\_\_ Children whose medical condition contraindicates immunization.

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## STATE PLAN FOR

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#### **APPENDIX 1 -- PROGRAM ASSURANCES AND CERTIFICATIONS**

The Lead Agency, named in Part 1 of this Plan, assures that:

- 1) upon approval, it will have in effect a program which complies with the provisions of the Plan printed herein, and is administered in accordance with the Child Care and Development Block Grant Act of 1990 as amended, Section 418 of the Social Security Act, and all other applicable Federal laws and regulations. (658D(b), 658E(a))
- (2) the parent(s) of each eligible child within the State who receives or is offered child care services for which financial assistance is provided is given the option either to enroll such child with a child care provider that has a grant or contract for the provision of the service; or to receive a child care certificate. (658E(c)(2)(A)(i))
- (3) in cases in which the parent(s) elects to enroll the child with a provider that has a grant or contract with the Lead Agency, the child will be enrolled with the eligible provider selected by the parent to the maximum extent practicable. (658E(c)(2)(A)(ii))
- (4) the child care certificate offered to parents shall be of a value commensurate with the subsidy value of child care services provided under a grant or contract. (658E(c)(2)(A)(iii))
- (5) with respect to State and local regulatory requirements, health and safety requirements, payment rates, and registration requirements, State or local rules, procedures or other requirements promulgated for the purpose of the Child Care and Development Fund will not significantly restrict parental choice from among categories of care or types of providers. (658E(c)(2)(A), §98.15(p), §98.30(g), §98.40(b)(2), §98.41(b), §98.43(c), §98.45(d)).
- (6) that children receiving services under the CCDF are age-appropriately immunized, and that the health and safety provisions regarding immunizations incorporate (by reference or otherwise) the latest recommendation for childhood immunizations of the State public health agency. (§98.41(a)(1))

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The Lead Agency also certifies that:

- (1) it has procedures in place to ensure that providers of child care services for which assistance is provided under the Child Care and Development Fund afford parents unlimited access to their children and to the providers caring for their children during the normal hours of operations and whenever such children are in the care of such providers. (658E(c)(2)(B))
- (2) it maintains a record of substantiated parental complaints and makes information regarding such complaints available to the public on request. (658E(c)(2)(C))
- (3) it will collect and disseminate to parents of eligible children and the general public, consumer education information that will promote informed child care choices. (658E(c)(2)(D))
- (4) it has in effect licensing requirements applicable to child care services provided in the State. (658E(c)(2)(E))
- (5) there are in effect within the State (or other area served by the Lead Agency), under State or local law, requirements designed to protect the health and safety of children; these requirements are applicable to child care providers that provide services for which assistance is made available under the Child Care and Development Fund. (658E(c)(2)(E))
- (6) procedures are in effect to ensure that child care providers that provide services for which assistance is provided under the Child Care and Development Fund comply with all applicable State or local health and safety requirements. (658E(c)(2)(G))
- (7) payment rates under the Child Care and Development Fund for the provision of child care services are sufficient to ensure equal access for eligible children to comparable child care services in the State or sub-State area that are provided to children whose parents are not eligible to receive assistance under this program or under any other Federal or State child care assistance programs. (658E(c)(4)(A))

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#### **APPENDIX 2 - ELIGIBILITY AND PRIORITY TERMINOLOGY:**

For purposes of determining eligibility and priority for CCDF-funded child care services, lead agencies must define the following terms. (658P, 658E(c)(3)(B))

- (1) attending (a job training or educational program; include minimum hours if applicable)

Utah's child care program supports job training and education for single parents who work 15 hours or more a week. Utah also supports job training and education for two parent families when one parent is employed 15 hours or more per week while the other parent works 35 hours or more per week and the other parent is not able to care for the children. Child care is approved to cover not more than 24 months to meet the training/education goal. For FEP parents, training/education participation is defined by employment plan goals.

- (2) in loco parentis -

1. Specified relatives may be eligible for child care subsidies when the child lives with the specified relative and the parent is not in the same home. Specified relative is defined as:

Grandparents

Brother or sister, including step, half, and adopted

Aunt or uncle

First cousin, nephew or niece

People of prior generations as designated by the prefix grand, great or great-great

2. An unrelated adult who has legal custody of the child is the same as a parent.

- (3) job training and educational program -

Utah supports students in adult, basic education, any vocational, skills, or job readiness training or courses that increase employability when the student is employed 15 hours or more a week. For FEP participants, training/education activities are defined by the employment plan goals.

- (4) physical or mental incapacity (if the Lead Agency provides such services to children age 13 and older) -

Children have a physical or mental incapacity when the disability is categorized in that way by the Department of Human Services, Division of Services for People with Disabilities, Department of Health, Early Intervention, and Department of Education, Special Needs Program for 3 thru 5 year olds. This definition includes children with cognitive disabilities.

- (5) protective services -

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Services necessary to prevent child abuse or neglect as determined by Department of Human Services, Division of Child and Family Services.

(6) residing with -

Children must live in the same household as the parent during the time period child care services are requested.

(7) special needs child -

Special needs children are homeless children and children with identifiable mental and physical disabilities as determined and categorized by the following three agencies: The Department of Human Services, Division of Services for People with Disabilities, The Department of Health, Early Intervention Baby Watch, and The Department of Education, Special Needs Program.

(8) very low income –

Families that are TANF eligible are considered very low income. Families transition off of TANF at 90% of poverty.

(9) working (include minimum hours if applicable) -

Participating in full or part-time employment and making a wage equal to the federal minimum wage or prevailing local wage, whichever is less. There is a minimum 15 hour per week work requirement for employment supported child care assistance.

(10) Additional terminology related to conditions of eligibility or priority established by the Lead Agency:

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